

**UNITED STATES DISTRICT COURT CLERKS OFFICE  
FOR THE DISTRICT OF MASSACHUSETTS**

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<b>UNITED STATES OF AMERICA,</b>	)	U.S. DISTRICT COURT
	)	DISTRICT OF MASS.
<b>v.</b>	)	<b>DOCKET NO.: 05-10100-01</b>
	)	
<b>VLADIMIR SHURLAN,</b>	)	
<b>Defendant.</b>	)	
	)	

**DEFENDANT'S MOTION**  
**FOR THE EARLY TERMINATION OF SUPERVISED PROBATION AND**  
**PERMISSION TO TRAVEL OUT OF THE UNITED STATES**

Defendant Vladimir Shurlan (“Defendant”) respectfully moves this Honorable Court, pursuant to 18 U.S.C. sec. 3583(e)(1), to terminate his supervised probation early and grant him permission to travel to his home country of Serbia (formerly Yugoslavia) for an extended period of time.

As grounds therefore, Defendant state as follows:

1. On April 7, 2005, an Information was filed in the U.S. District Court, at Boston, Massachusetts charging the Defendant with Health Care Fraud, in violation of 18 U.S.C. sec. 1347.
2. On May 13, 2005, the Defendant appeared in the U.S. District Court, at Boston, before the Honorable Nathaniel Gorton, at which time he waived Indictment and entered a plea of guilty to the one-count Information. After a factual basis was presented, the Court accepted the plea and disposition was scheduled for August 3, 2005. Sentencing was subsequently rescheduled for October 19, 2005.
3. On May 13, 2005, the Defendant was released on personal recognizance, with the following restrictive conditions:

- a. The Defendant promised to appear at all proceedings as required and to surrender for service of any sentence imposed;
  - b. The Defendant shall maintain residence at 7 Channing Street, Cambridge, MA;
  - c. The Defendant shall not possess a firearm or destructive device;
  - d. The Defendant's travel is restricted to the United States;
  - e. The Defendant shall surrender his passport(s) and shall not obtain a passport;
  - f. The Defendant shall abide by the restraining order filed by Roberta Shurlan.
- 4. The Defendant complied with all pre-trial conditions.
  - 5. The sentence imposed by the Honorable Nathaniel Gorton on October 19, 2005,

provided for, in relevant part, the following:

- a. Defendant was placed on probation for a period of two (2) years commencing October 19, 2005.
  - b. Defendant was ordered to pay a fine in the amount of \$2,000.00.
  - c. The Defendant was ordered to pay restitution in the amount of \$56,425.96 to the Clerk, U.S. District Court.
- 6. The Defendant paid both the fine and the restitution promptly.
  - 7. In addition, the Defendant entered into a civil Settlement Agreement with the

United States of America where the Defendant would pay the amount of \$89,153.00 to the United States of America to resolve claims subject to the Settlement Agreement.

- 8. The Defendant promptly paid the \$89,153.00 to the United States of America.
- 9. Further, the Defendant's resignation from the practice of medicine was accepted by the Commonwealth of Massachusetts, Board of Registration in Medicine, on September 6, 2006.

10. The Defendant requests permission from the Court to travel to Serbia with his elderly Mother, Miroslava V. Shurlan (DOB 9/20/23), who is frail and who is of failing health. The Defendant's Mother has a variety of health problems, including hypertension, chronic varicose veins, heart disease, urinary problems, chronic sciatica, and vision problems and is fully dependent upon the Defendant to take care of her daily living needs.

11. Defendant's Mother was born in Yugoslavia and wishes to return to her native country to live out her remaining years. The Defendant's Mother also wishes to return to Serbia as expeditiously as soon as possible as her sole remaining sister, Lyilyana Miletic (age 73) is also elderly and is in failing health, having breast cancer which is now in a terminal stage. On information and belief, Ms. Miletic is not expected to live long.

12. The Defendant has been his Mother's sole caretaker for approximately 25 years. The Defendant's Mother does not speak or understand English at all. The Defendant's Mother cannot travel back to her native country with the aid, assistance, and presence of the Defendant.

13. The Defendant's Mother wishes to live out her remaining days in Serbia as well. However, she cannot do so without the Defendant.

14. The Defendant's probation is scheduled to expire on or about October 19, 2007. The Defendant, who has been compliant with all terms and conditions of his probation, asks this Court for permission to travel to Serbia with this Mother so that she may be with her sister during her last days and so that the Defendant may reside with her Mother.

15. The Defendant, to be clear, is also specifically requesting that his supervised probation be terminated early and that he be allowed to serve out the remaining period of his probation while in Serbia with his Mother.

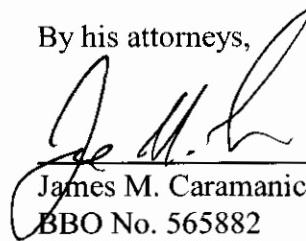
16. Defendant and his Mother would be residing with Mrs. Branka Shurlan in Serbia.

17. An affidavit in support of this motion is filed herewith.

WHEREFORE, Defendant requests this Honorable Court grant his motion to terminate his supervised probation early and to authorize him to travel to Serbia with the Defendant's Mother and serve the remaining portion of his probation while in Serbia.

Valdimir Shurlan, Defendant,

By his attorneys,



James M. Caramanica

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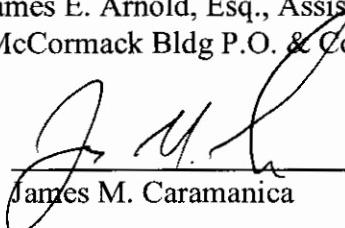
Stoneham, MA 02180

(781) 438-4600 ext. 202

Dated: October 30, 2006

**CERTIFICATE OF SERVICE**

I, James M. Caramanica, certify that on October 30, 2006, a true copy of the foregoing was served upon Lisa Paiva, United States Probation Office, William Coastguard Building, 408 Atlantic Avenue, Boston, MA 02110, and James E. Arnold, Esq., Assistant United States Attorney, U.S. Dept. of Justice, 1003 J.W. McCormack Bldg P.O. & Courthouse Boston, MA 02109, via first class mail.



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James M. Caramanica